



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
OFFICE OF INSPECTOR GENERAL

1301 CONSTITUTION AVE, NW  
WASHINGTON, DC 20004

CASE #: OI-HQ-2016-ADM-0080

CROSS REFERENCE #: N/A

TITLE: (b) (6), (b) (7)(C)

Environmental Protection Agency

INTERVIEWEE (if applicable): N/A

PREPARED BY: (b) (6), (b) (7)(C), Special Agent

MEMORANDUM OF ACTIVITY  
Case Closing Report

NARRATIVE:

On February 16, 2016, the Office of Inspector General (OIG) received a complaint from (b) (6), (b) (7)(C) Office of Human Resources, Environmental Protection Agency (EPA). The complaint alleged that (b) (6), (b) (7)(C) was verbally and physically assaulted during a workplace meeting.

INVESTIGATIVE FINDINGS:

The Office of Professional Responsibility (OPR) interviewed (b) (6), (b) (7)(C) stated that during a workplace meeting, (b) (6), (b) (7)(C) EPA, walked around from (b) (6) desk and forcefully swung a stack of papers, making contact with (b) (6), while yelling aggressively. (b) (6), stated that the force of the papers left (b) (6), collar disheveled and removed (b) (6) tie pin.

OPR interviewed witness, (b) (6), (b) (7)(C) EPA. (b) (6), (b) (7)(C) stated corroborated (b) (6), (b) (7)(C) account of the incident. (b) (6), reported that while (b) (6), did not verbally threaten (b) (6), that (b) (6), acted in an intimidating and unprofessional manner.

OPR interviewed witness, (b) (6), (b) (7)(C) EPA. (b) (6), (b) (7)(C) reported to OPR and Federal Protective Service Investigator (b) (6), (b) (7)(C)

CASE:  
OI-HQ-2016-ADM-0080

DATE OF ACTIVITY:  
March 16, 2018

INTERVIEWEE (if applicable):  
N/A

DRAFTED DATE:  
March 16, 2018

AGENT(S):  
SA (b) (6)

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Page 1 of 2

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(b) (6), (b) (7)(C) that (b) (6), (b) (7)(C) did not see (b) (6), (b) (7)(C) waive any papers at (b) (6), (b) (7)(C). Additionally, (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) never left (b) (6), (b) (7)(C) chair and that there was no behavior which met the definition of an assault.

OPR interviewed (b) (6), (b) (7)(C) on February 23, 2016. (b) (6), (b) (7)(C) stated that (b) (6), (b) (7)(C) never approached (b) (6), (b) (7)(C) and never threatened (b) (6), (b) (7)(C). (b) (6), (b) (7)(C) replied, "completely false" when asked if (b) (6), (b) (7)(C) hit (b) (6), (b) (7)(C) with the papers.

On February 24, 2016, this investigation was presented and declined by the United States Attorney's Office, District of Washington, DC. This investigation was referred to (b) (6), (b) (7)(C) for administrative remedies.

On January 9, 2018, OPR was notified that (b) (6), (b) (7)(C) voluntarily retired after receiving a written notice of suspension for lack of candor in an official investigation.

### RECOMMENDATION:

Based upon the aforementioned, there are no further investigative steps and this investigation is recommended for closure.

**CASE:**  
OI-HQ-2016-ADM-0080

**DATE OF ACTIVITY:**  
March 16, 2018

**INTERVIEWEE (if applicable):**  
N/A

**DRAFTED DATE:**  
March 16, 2018

**AGENT(S):**  
SA (b) (6), (b) (7)(C)

**RESTRICTED INFORMATION**  
Page 2 of 2

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
OFFICE OF INSPECTOR GENERAL

DATE: JUNE 25, 2018

PREPARED BY: (b) (6), (b) (7)(C)

CASE #: OI-0AT-2017-ADM-0123

CROSS REFERENCE #:

TITLE: (b) (6), (b) (7)(C) GS-11, (b) (6), (b) (7)(C)

CASE CLOSING REPORT

Subject(s)	Location	Other Data
(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)

VIOLATION(S):

- 5 CFR § 2635.101 – Basic Obligation of Public Service:
  - (b) (14) Employees shall endeavor to avoid any actions creating the appearance that they are violating the law or the ethical standards set forth in this part.
- 5 CFR § 2635.705 - Use of Official Time
  - *Use of an employee's own time.* Unless authorized in accordance with law or regulations to use such time for other purposes, an employee shall use official time in an honest effort to perform official duties.
- EPA Policy 17-002B - Flexitour and Gliding Work Schedule Modules for Headquarters Employees of the U.S. Environmental Protection Agency.
- EPA Order CIO 2101.0 – Policy on Limited Personal Use Government Office Equipment C. Examples of inappropriate personal uses:
  - Loading personal software onto your Government office equipment or making any related configuration changes, unless approved by an appropriate information technology manager.
- EPA Order 3120.1 Conduct and Discipline, Appendix, Table Offenses and Penalties
  - 7. Conduct which is generally criminal, infamous, dishonest, immoral or notoriously disgraceful.

ALLEGATION:

On June 23, 2017, the Environmental Protection Agency (EPA), Office of Inspector General (OIG) Hotline received information that (b) (6), (b) (7)(C)

RESTRICTED INFORMATION

Page 1

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(b) (6), (b) (7)(C) was arrested by the (b) (6), (b) (7)(C) for the offenses of solicitation of prostitution and battery. The complaint alleged that (b) (6), (b) (7)(C) may have utilized EPA equipment, specifically a cellular telephone and computer belonging to the EPA, to facilitate the crime(s) for which (b) (6), (b) (7)(C) was arrested.

## FINDINGS:

Facts collected during this investigation confirmed that on June 22, 2017, shortly after (b) (6), (b) (7)(C) official duty hours, (b) (6), (b) (7)(C) an EPA employee, was arrested by (b) (6), (b) (7)(C) for the criminal offenses of solicitation of prostitution and battery. While the facts revealed that (b) (6), (b) (7)(C) utilized a personal electronic device, not government owned equipment, to facilitate (b) (6), (b) (7)(C) crimes, an EPA-OIG forensic examination of (b) (6), (b) (7)(C) EPA issued laptop identified unauthorized software installed on the device. This software was identified as an anti-malware program and system enhancement program which could have had other uses, such as clearing out internet history and history files on a system.

Additional facts obtained during this investigation established that (b) (6), (b) (7)(C) (1) engaged in activities facilitating the crime of solicitation of prostitution during (b) (6), (b) (7)(C) official duty hours; to-wit, exchanging in excess of 150 text messages with the purported prostitute which included description of sex acts as well as prices associated with services; (2) falsely recorded/submitted (b) (6), (b) (7)(C) total number of work hours on (b) (6), (b) (7)(C) EPA timesheet for the date on which (b) (6), (b) (7)(C) was arrested; and (3) provided EPA management and EPA-OIG with false and/or misleading information related to (b) (6), (b) (7)(C) arrest.

On February 9, 2018, the findings of the EPA-OIG investigation were referred to (b) (6), (b) (7)(C) for administrative actions deemed appropriate.

## DISPOSITION:

On November 1, 2017, (b) (6), (b) (7)(C) entered a plea of No Contest to the charge of solicitation of prostitution, a misdemeanor. (b) (6), (b) (7)(C)

On April 23, 2018, (b) (6), (b) (7)(C) purposed a 30-day suspension of (b) (6), (b) (7)(C) for the following violations: (1) Misuse of Government Equipment, (2) Lack of Candor, (3) Inappropriate Conduct, (4) Misuse of Official Duty Time, and (5) Falsification of Time & Attendance Records.

(b) (6), (b) (7)(C) found that the preponderance of evidence supported that (b) (6), (b) (7)(C) (1) demonstrated a lack of candor in (b) (6), (b) (7)(C) statements made to (b) (6), (b) (7)(C) and EPA-OIG Special Agents; (2) engaged in conduct inappropriate for the workplace; and (3) misused (b) (6), (b) (7)(C) official duty time. While (b) (6), (b) (7)(C) found that (b) (6), (b) (7)(C) "misrepresented" (b) (6), (b) (7)(C) work hours on (b) (6), (b) (7)(C)

RESTRICTED INFORMATION

Page 2

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timesheet entry, (b) (6), found (b) (6), explanation that the time entry was made prior to the end of the pay period and (b) (7) (b) (6), (b) (7) had simply failed to go back and correct the entry after the fact to be "reasonable." Based on these findings (b) (6), (b) (7) decided it was appropriate to mitigate the proposed thirty (30) calendar day suspension to a fourteen (14) calendar day suspension. The effective dates for this suspension were identified as (b) (6), (b) (7)(C), 2018.

This concluded all pending actions in this case and this investigation will be closed.





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
OFFICE OF INSPECTOR GENERAL

DATE: APRIL 25, 2018

PREPARED BY: (b) (6), (b) (7)(C)

CASE #: OI-HQ-2018-ADM-0020

CROSS REFERENCE #:

TITLE: UNKNOWN SUBJECT, IMPERSONATING A FEDERAL AGENT

CASE CLOSING REPORT

Subject(s)	Location	Other Data
UNKNOWN SUBJECT	WASHINGTON, DC	

**VIOLATION(S):** 18 U.S. Code § 912 – Falsely Impersonating an Officer or Employee of the United States.

**ALLEGATION:** This investigation was initiated after receiving notification of alleged contact with Senator Tim Kaine's (Kaine) Office by an individual claiming to be (b) (6), (b) (7)(C) Criminal Investigations Division (CID), EPA. In the email communication left in the electronic comment/complaint box on Senator Kaine's website, the individual claiming to be (b) (6), (b) (7)(C) complained about the EPA's hiring practices and claimed to have further information and requested a meeting with Senator Kaine's office.

**FINDINGS:** Special Agent (SA) (b) (6), (b) (7)(C) Office of Investigations (OI), Office of Inspector General (OIG), EPA, opened an investigation into the matter at the direction of (b) (6), (b) (7)(C) OI, OIG, EPA. SA (b) (6), (b) (7)(C) interviewed (b) (6), (b) (7)(C) and (b) (7)(E), (b) (5) (b) (7)(C). A second communication, similar in nature to the communication with Sen. Kaine's office was sent to Speaker of the House Paul Ryan's office (Speaker Ryan). (b) (6), (b) (7)(C), (b) (7)(E)

**DISPOSITION:** The case was ultimately declined for prosecution by the USAO – D. Based upon the aforementioned, there are no remaining investigative steps and this investigation is recommended for closure with no further action. Should new information become available, the EPA-OIG retains the right to re-open the investigation.

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Page 1

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
OFFICE OF INSPECTOR GENERAL

DATE: APRIL 18, 2018

PREPARED BY: (b) (6), (b) (7)(C)

CASE #: OI-HQ-2016-CAC-0049

CROSS REFERENCE #:

TITLE: (b) (6), (b) (7)(C): US CITIZEN LAS VEGAS AREA

CASE CLOSING REPORT

Subject(s)	Location	Other Data
(b) (6), (b) (7)(C)	WASHINGTON, DC	

**VIOLATION(S):** 18 USC § 2261A - Stalking

**ALLEGATION:** This investigation was initiated after receiving a Request for Information Bulletin (RFIB) from the United States Capitol Police (USCP), regarding numerous vile and vulgar letters mailed to a US Senator, allegedly from the same sender. Regina McCarthy (McCarthy), Administer, EPA has received similar letters.

**FINDINGS:** Special Agent (SA) (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) Environmental Protection Agency (EPA), opened a joint investigation with the USCP (b) (6), (b) (7)(C), (b) (7)(E)

(b) (6), (b) (7)(C) was identified as the sender and admitted to sending the letters in an interview (b) (6), (b) (7)(C), (b) (7)(E)

verbally promised to cease and desist sending his mailings. (b) (6), (b) (7)(C)

**DISPOSITION:** The case was presented to the United States Attorney's Office – District of Nevada (USAO – NV) who declined prosecution. Based upon the aforementioned, there are no remaining investigative steps and this investigation is recommended for closure with no further action. Should new information become available, the EPA-OIG retains the right to re-open the investigation.

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Page 1

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**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**OFFICE OF INSPECTOR GENERAL**  
1301 CONSTITUTION AVE, NW  
WASHINGTON, DC 20004

**DATE:** September 12, 2018

**PREPARED BY:** (b) (6), (b) (7)(C)

**CASE #:** OI-HQ-2018-THT-0029

**CROSS REFERENCE #:** N/A

**TITLE:** Pro-ISIS Video Publishes (b) (6), (b) (7)(C) Video Threatening to Kill U.S. Government Employees

**CASE CLOSING REPORT**

Subject(s)	Location	Other Data
Unknown	EPA Headquarters; EPA Regions 3, 4, 6, 7, 9, and 10	N/A

**ALLEGATION(S):**

On December 20, 2017, the United States Environmental Protection Agency (EPA), Office of Inspector General (OIG), Office of Professional Responsibility (OPR), received a case referral from the EPA Office of Homeland Security (OHS). (b) (7)(E)

(b) (7)(E) OHS learned of the existence of a credibly vetted video posted on a pro-Islamic State website. This video called upon and threatened to murder United States government employees, and the names of these employees had been sent to lone wolf terrorists within the United States to act upon. (b) (7)(E), (b) (7)(F)

(b) (7)(E) This case was opened to notify the EPA employees of this matter.

**FINDING(S):**

(b) (7)(E)

(b) (7)(F) OI also notified the (b) (7)(E) of the matter.



**DISPOSITION:** Inconclusive. Closed.

The United States Attorney's Office, District of Columbia, Washington, DC, was not consulted, as this case was opened to make notifications to the potential victims.

Based upon the aforementioned, there are no further investigative steps and this investigation is recommended for closure.